

REMARKS

Claims 1 to 17, 19 to 20 and 24 to 26 are pending in this application. Claims 1, 19 and 20 are the independent claims and amended herein. Favorable reconsideration and further examination are respectfully requested.

Applicants thank the Examiner for holding a telephone conference on Monday, June 11, 2007. The Examiner indicated that any changes to the claims would not be entered under a §116 amendment. The Examiner further indicated that changing network addresses to world-wide names would overcome the prior art of record. The Examiner also indicated that claim 24 would not be allowable if amended to be independent to include claim 1. The Examiner suggested focusing on a common interface (e.g., last line of Abstract) to receive different devices. The Examiner did not indicate if any of these changes would be allowable, but did indicate a new search would be initiated if an RCE was filed.

Claim 26 was objected to for being dependent on itself. Claim 26 was amended to depend on claim 20. Applicants respectfully request that the claim objection be withdrawn.

Claims 1-5, 8-11, 17, 19 and 20 are rejected under 35 U.S.C. §102(e) as being anticipated by Aziz et al. (U.S. Patent Number 6,779,016 hereinafter "Aziz"). Claims 6, 7, 12 to 16 and 24 to 26 were rejected under 35 U.S.C. §103(a) as being obvious over Aziz in view of Nine et al. (U.S. Patent Number 6,560,611).

Amended claim 1 is directed to a method of managing hardware resources. The method includes providing an executable software module configured to communicate with the hardware resources. The software module implements a common interface to allow a monitoring device to be implemented independent of the hardware resources. The method also includes operating the executable software module to cause the executable software module to return information about the hardware resources. The information includes hardware configuration information associated with hardware resources and customer information associated with customers of the hardware resources. The customer information includes world-wide names of equipment used by the customers, allocation information indicative of allocations of the hardware resources to the customers and billable event information for use by a billing application to bill the customers and indicative of usage of the hardware resources by the customers. The method further includes storing the hardware configuration information and the customer information in a database.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1. In particular, Aziz does not disclose or suggest at least that the customer information includes world-wide names of equipment used by the customers (see, for example, page 11, line 27 to page 12, line 9 and FIG. 6 of Applicants' Specification).

Aziz discloses a "pay-as-you-go" billing model that includes billing customer's usage on a server (see column 16, lines 23 to 43 of Aziz). The Examiner has indicated that the system of Aziz "inherently includes the network addresses of the equipment as the addresses of the servers must be known in order for the system to properly track and report resource usage on the servers" (see page 4 of the Office action). As previously stated, Applicants submit that it is not

inherent in Aziz that the customer information includes the network addresses of equipment used by the customers (see Office Action Response, dated 15 February 2007, pages 10 and 11).

Nevertheless, Applicants have amended claim 1 to specify that the customer information includes world-wide names of equipment used by customers. It is respectfully submitted that it is not inherent in Aziz that the customer information includes world-wide names of equipment used by the customers

Moreover, the applied art is not understood to disclose or to suggest that the software module implementing a common interface to allow a monitoring device to be implemented independent of the hardware resources as recited in amended claim 1 (see Abstract, FIG. 7 and page 15, lines 6 to 25 of Applicants' specification). Aziz does not disclose or suggest a common interface much less a common interface to allow a monitoring device to be implemented independent of the hardware resources.

Independent claim 19 is a computer product claim and independent claim 20 is a system claim, each having features corresponding to claim 1. Applicants submit that the Aziz reference should also be withdrawn with respect to claims 19 and 20 for at least the same reasons as claim 1.

For at least the foregoing reasons, Applicants request withdrawal of the art rejection.

Applicants submit that all dependent claims now depend on allowable independent claims.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or

concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for withdrawing the prior art cited with regards to any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants submit that the entire application is now in condition for allowance. Such action is respectfully requested at the Examiner's earliest convenience.

All correspondence should be directed to the address below. Applicants' attorney can be reached by telephone at (781) 401-9988 ext. 23.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845, including but not limited to, any charges for extensions of time under 37 C.F.R. §1.136 referencing Attorney Docket: EMC-033PUS.

Respectfully submitted,

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